

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CRIMINAL APPLICATION No 70 of 1996

For Approval and Signature:

Hon'ble MR.JUSTICE S.D.DAVE

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1. Whether Reporters of Local Papers may be allowed to see the judgements?

2. To be referred to the Reporter or not?

3. Whether Their Lordships wish to see the fair copy of the judgement?

4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder?

5. Whether it is to be circulated to the Civil Judge?

1 to 5 : No

SOMABHAI MATHURBHAI

Versus

STATE OF GUJARAT

Appearance:

THROUGH JAIL for Petitioner

MR BD DESAI, ADDL.PUBLIC PROSECUTOR for Respondent No. 1

CORAM : MR.JUSTICE S.D.DAVE

Date of decision: 08/04/96

ORAL JUDGEMENT

The petition filed for the grant of the first furlough, requires a recognition. The request for the furlough of the prisoner came to be turned down, by the I.G. Prisons on the ground that, there has been an adverse police opinion. The second ground is that, there is likelihood of breach to peace. These are the reasons on which the furlough could have been refused. The present petition requires to be allowed. The same is

accordingly allowed. The prisoner is granted furlough for a period of two weeks. The I.G. Prisons is requested to release the prisoner on furlough after performing the requisite formalities. The I.G. Prison can impose conditions on the movement of the prisoner also. The Rule is made absolute accordingly.
